

Serial No. 49188

ORIGINAL

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE
STATE OF NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office JUL 12 1985

Returned to applicant for correction JUL 24 1985

Corrected application filed Map filed SEP 10 1985 under 49186

The applicant ROBERT E. BURNHAM

DIAMOND VALLEY RT., BOX 33 of EUREKA
Street and No. or P.O. Box No. City or Town

NV 89316 hereby makes application for permission to change the
State and Zip Code No.

POINT OF DIVERSION OF A PORTION
Point of diversion, manner of use, and/or place of use

of water heretofore appropriated under PERMIT 39042
(Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and
identify right in Decree.)

1. The source of water is UNDERGROUND
Name of stream, lake, underground spring or other source.

2. The amount of water to be changed 2.12 CFS
Second feet, acre feet. One second foot equals 448.83 gallons per minute.

3. The water to be used for IRRIGATION
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

4. The water heretofore permitted for IRRIGATION
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

5. The water is to be diverted at the following point SE $\frac{1}{4}$ SW $\frac{1}{4}$, SEC 29, T 23 N., R 54E,
Describe as being within a 40-acre subdivision of public survey and by course and
OR AT A POINT FROM WHICH THE SW CORNER OF SAID SEC 29 BEARS S 49°
distance to a section corner. If on unsurveyed land, it should be stated.
30' W A DISTANCE OF 1861.20 FEET

6. The existing permitted point of diversion is located within NW $\frac{1}{4}$ SW $\frac{1}{4}$ SEC 29, T 23 N.,
If point of diversion is not changed, do not answer.
R 54 E., M D B & M OR AT A POINT FROM WHICH THE W $\frac{1}{4}$ COR OF SAID
SEC 29 BEARS N 45° W A DISTANCE OF 100 FEET.

7. Proposed place of use 31.42 IN THE NW $\frac{1}{4}$ SW $\frac{1}{4}$, SEC 29, T 23N, R54E
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.
31.42 IN THE SW $\frac{1}{4}$ SW $\frac{1}{4}$, SEC 29, T.23N, R54E
31.42 IN THE SE $\frac{1}{4}$ SW $\frac{1}{4}$, SEC 29, T.23N, R54E
31.42 IN THE NE $\frac{1}{4}$ SW $\frac{1}{4}$, SEC 29, T.23N, R54E

8. Existing place of use NO CHANGE
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or
manner of use of irrigation permit, describe acreage to be removed from irrigation.

9. Use will be from JAN 1 to DEC 31 of each year.
Month and Day Month and Day

10. Use was permitted from JAN 1 to DEC 31 of each year.
Month and Day Month and Day

11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and
specifications of your diversion or storage works.) WELL, PUMP & SPRINKLER SYSTEM
State manner in which water is to be diverted, i.e. diversion structure, ditches,
pipes and flumes, or drilled well, etc.

12. Estimated cost of works \$ 50,000

13. Estimated time required to construct works COMPLETED

14. Estimated time required to complete the application of water to beneficial use.....COMPLETED

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

THIS APPLICATION CORRECTS AN ERROR IN THE POINT OF DIVERSION

AS FILED UNDER # 39042

By s/Katherine A. Rice
P.O. BOX 130, SMITH,
NEVADA 89430

Compared mc/jf js/bc

Protested

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion and place of use of a portion of the waters of an underground source as heretofore granted under Permit 39042 is issued subject to the terms and conditions imposed in said Permit 39042 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This Permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 2.12 cubic feet per second, but not to exceed 502.72 acre-feet annually, but not to exceed a yearly duty of 4.0 acre-feet per acre of land irrigated from any and/or all sources.

Work must be prosecuted with reasonable diligence and be completed on or before January 8, 1987

Proof of completion of work shall be filed before February 8, 1987

Application of water to beneficial use shall be made on or before January 8, 1989

Proof of the application of water to beneficial use shall be filed on or before February 8, 1989

Map in support of proof of beneficial use shall be filed on or before February 8, 1989

Completion of work filed OCT 10 1990 IN TESTIMONY WHEREOF, I PETER G. MORROS

Proof of beneficial use filed MAR 14 1989 State Engineer of Nevada, have hereunto set my hand and the seal of

Cultural map filed MAR 14 1989 my office, this 8th day of January

Certificate No. 12674 Issued MAR 25 1991 AD 19 86